

Message Text

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ORIGIN ARA-10

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TO AMEMBASSY SANTIAGO IMMEDIATE

C O N F I D E N T I A L STATE 257750

E.O. 11652: GDS

TAGS: CI, SHUM, UNGA

SUBJECT: CHILE RESOLUTION IN THIRD COMMITTEE

REF: SANTIAGO 7217

JOHN P. SALZBURG, SPECIAL CONSULTANT TO THE COMMITTEE ON INTERNATIONAL RELATIONS, MET WITH ROGERS, BUFFUM AND WILSON ON BEHALF OF CONGRESSMAN FRASER, IN AN EFFORT TO PROMOTE A MODIFIED VERSION OF THE ALLANA PROPOSAL. ROGERS INDICATED WE WOULD STUDY IT. YOUR COMMENTS WOULD BE APPRECIATED. DRAFT OF PROPOSED RESOLUTION FOLLOWS: BEGIN QUOTE

NOTING WITH APPRECIATION THE REPORT OF THE AD HOC WORKING GROUP ESTABLISHED UNDER RESOLUTION 8(XXXI) OF THE COMMISSION ON HUMAN RIGHTS TO INQUIRE INTO THE PRESENT SITUATION OF HUMAN RIGHTS IN CHILE,

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1. REITERATES ITS DEEPEST CONCERN THAT CONSTANT FLAGRANT VIOLATIONS OF BASIC HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN CHILE CONTINUE TO BE REPORTED;

2. DEEPLY REGRETS THE DECISION OF THE GOVERNMENT OF CHILE TO REFUSE ENTRY TO THE AD HOC WORKING GROUP OF THE COMMISSION ON HUMAN RIGHTS;

3. URGES THE GOVERNMENT OF CHILE TO TAKE ALL APPROPRIATE STEPS TO ENSURE FULL RESPECT FOR HUMAN RIGHTS AND PARTICULARLY

(A) TO GIVE FULLEST EFFECT TO THE RIGHT OF ALL PERSONS, WHICH IS DECLARED IN ARTICLE 9 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, TO BE FREE FROM ARBITRARY ARREST AND DETENTION;

(B) TO RESTORE THE EFFECTIVE APPLICATION OF THE RIGHT OF AMPARO, GIVE PROMPT NOTIFICATION OF DETENTION TO FAMILIES AND GRANT FULL ACCESS BY FAMILIES, ATTORNEYS AND RELIGIOUS COUNSELORS TO DETAINEES;

(C) TO PROVIDE HUMANE CONDITIONS OF DETENTION AND IMPRISONMENT; TO ELIMINATE ALL FORMS OF TORTURE OR CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT; AND TO PROSECUTE THOSE PERSONS RESPONSIBLE FOR AUTHORIZING OR PRACTICING TORTURE OR CRUEL, INHUMAN DEGRADING TREATMENT OR PUNISHMENT;

(D) TO PROVIDE AN ACCOUNTING OF THE WHEREABOUTS OF ALL THE MISSING PERSONS REFERRED TO IN THE AD HOC WORKING GROUP'S REPORT;

(E) TO ADHERE TO THE PRINCIPLE OF NON-RETROACTIVITY OF CRIMINAL LAWS AND SENTENCES CONTAINED IN ARTICLE 11(2) OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS;

(F) TO RESPECT FREEDOM OF ASSEMBLY, ASSOCIATION, EXPRESSION AND OPINION;

4. REQUESTS THE AD HOC WORKING GROUP TO CONTINUE TO CARRY OUT THE FUNCTIONS DESCRIBED IN RESOLUTION 8(XXXI) OF THE CONFIDENTIAL

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COMMISSION ON HUMAN RIGHTS AND TO REPORT TO THE GENERAL ASSEMBLY AT ITS THIRTY-FIRST SESSION THE PROGRESS OF THE GOVERNMENT OF CHILE IN IMPLEMENTING THE MEASURES REFERRED TO IN PARAGRAPH 3 ABOVE;

5. URGES THE GOVERNMENT OF CHILE TO COOPERATE FULLY WITH THE AD HOC WORKING GROUP AND TO PERMIT THE GROUP TO VISIT CHILE WITH EVERY FACILITY TO VERIFY THE FACTS PERTINENT TO

THE STATE OF HUMAN RIGHTS;

6. REQUESTS THE PRESIDENT OF THE 30TH SESSION OF THE
GENERAL ASSEMBLY AND THE SECRETARY-GENERAL TO ASSIST IN
ANY WAY THEY MAY DEEM APPROPRIATE IN THE REESTABLISHMENT
OF BASIC HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS. END QUOTE

SALZBURG EXPLAINED THAT HIS MODIFIED DRAFT WAS NOT REPEAT
NOT TO BE A U.S. PROPOSAL BUT ONE WHICH WE MIGHT PRESENT
FOR CONSIDERATION AND SPONSORSHIP BY OTHERS. INGERSOLL

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